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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

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92-235

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Before

FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20544

In the Matter of

Replacement of Part 90 by Part 88 to revise the Private Land Mobile Radio Services and Modify Policies Governing Them.

To: The Commission

We think that the proposed rule changes will cause an excessive burden on the users of Public Safety and Commercial Two Way Radio. If Part 90 is replaced by Part 88 as it was drafted, users will have to extensively modify their radio systems, or in some cases replace them. In the case of Government and Public safety it means that Tax Payers will foot the bill to replace them. In the case of Commercial radio systems, It means that users will be forced to modify or replace a radio system that, in most cases works fine.

On Spectrum Efficiency Standards: We realize that the goal of Part 88 is to free up part of the radio spectrum for new users. That is fine in itself, but it is not right to make existing licensed users' portion of the spectrum unusable to them. It appears that narrow banding is the best way, and going to 12.54 KHz spacing may be possible. Narrowing the bandwidths to 6.25 KHz and 5 KHz will cause users to drastically modify their equipment or replace it if conversion is not possible. We think that will be an unreasonable requirement.

The idea of users funding the equipment conversion by reassigning part of an existing wideband channel is not right. These frequencies are not theirs to assign. Things like this would lead to turning usable frequencies into an uncontrolled, unlicensed mess.

On Technical and Operational Rule Changes: The respondent's service area, Blaine County in South central Idaho, is a large area with signal coverage problems because of mountainous terrain. If transmitter power is limited to reduce service areas to 50 miles for co-channel separation, many of the systems with transmitters on high mountain tops will be greatly handicapped. areas in which people depend on two-way communications for public safety and to facilitate commerce will no longer be covered. This will be counter to the fuel conservation effort, because we will be driving around our coverage area to find a place where the radio will work on a pay phone.

We suggest that there be a compromise proposal for ERP/HAAT limits for use in rural areas.

In paragraph 21 of FCC 92-469 there is reference to "large innovative operations". The idea of setting aside a few frequencies for use of new technologies may have merit, but the language using large operators sounds like frequency spectrum being monopolized by large companies squeezing out and controlling small users. New technology, if it is better, has a

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way of naturally replacing the old in the electronics market. Permitting trunked operation on frequencies below 512 MHz. is good and we would support that.

The promotion of interoperability appears to be useful for communication between different types of public agencies. we would support the creation of a few channels for the sole purpose of mutual aid.

On Exclusivity: It appears that the exclusivity rule may open the door to abuse by large operators. The adoption of the Exclusive Use Overlay (EUO) will obviously favor large licensees. Small individual licensees will be edged out and have to subscribe to large service providers.


On Radio Services: Under Frequency Coordination, the proposed rule change says that Small Systems not qualifying for an EUO Preference should be stacked on the same frequency (vertical loading), rather than be assigned separate channels (horizontal loading). This would make available channels to conventional systems overcrowded. Assignment without regard to eligibility would lump together diverse types of users making the frequencies chaotic.

On Modification of Existing Channels: Adjustments to systems to conform to narrow band requirements will not be as simple as reducing transmitter deviation. While that may conform transmitters to the new rule, system operation will be degraded with lower receiver levels.

Conclusion: In conclusion we submit that, while some parts of these proposed rules are good and necessary, they are as a whole too much too soon. It will all cost money. We live in a country recovering from a recession and faced with paying off a huge deficit. We don't need this additional burden. It is a burden from the aspect of both paying for the changes and limiting the usefulness of existing communication systems.

Please keep the small radio system user in rural areas like ours in mind while enacting new rules.

Respectfully submitted,


Premier Const. Co.
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3/30/93